IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO: 22761 of 2004

Between:

1 Y. Seshagiri Rao,

S/o. Y. Narasimha Rao,
District Rural Development Agency,

CUDDAPPAH, R/o. Cuddapah.

2 P. Venkata Subba Raju,

S/o. R. Narayana Raju,
District Rural Development Agency,

CUDDAPPAH, R/o. Cuddapah.

3 T. Tara Chandra Prasad,

S/o. T. Subbarayudu,
District Rural Development Agency,

CUDDAPPAH, R/o. Cuddapah.

..... PETITIONERS

AND

1. Government of Andhra Pradesh,

rep by its Principal Secretary,

Panchayat Raj & Rural Development,

Secretariat, Hyderabad.

2 The Commissioner,

Women Empowernment & Self Employment,

Andhra Pradesh, Gandhi Nagar,

Lower Bund, Hyderabad.

3 The Project Director,

District Rural Development Agency,

CUDDAPAH.

4 The District Collector & Chairman,

District Rural Development

Agency, CUDDAPAH.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus declaring the inaction of the respondents in not considering the eligible petitioners in the matter of promotion from Senior Assistants to Superintendents or equivalent as arbitrary, illegal and violative of equal opportunity and consequently direct the Respondents to promote the Petitioners as Superintendents or equivalent and be pleased to pass such other order or orders.

Counsel for the Petitioner: MR.M.V.K.VISWANADHAM

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the admission stage, made the following:

THE HON'BLE MR JUSTICE K.C.BHANU

WRIT PETITION NO: 22761 2004

ORDER:

For not considering the eligibility of the petitioners, in the matter of promotion from Senior Assistant to Superintendents, the present writ petition is filed.

2. According to the learned Government Pleader for the respondent-Panchayat Raj, the petitioners have not approached the authorities concerned, who have to take appropriate decision in accordance with law.

3 . Per contra, the learned counsel for the petitioners submitted that the petitioners have already made their representations before the authorities concerned.

4. On considering the submissions made by both the Government Pleader for Panchayat Raj and the learned counsel for the petitioners, a direction can be given to the respondents. Therefore, the respondents are directed to pass necessary orders in accordance with law, if the petitioners have already made their representations, or else, the petitioners shall make fresh applications within one week from the date of receipt of a copy of this order and thereafter necessary orders have to be passed by the respondents within a period of two months.

5. Accordingly, the writ petition is disposed of. No costs.

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December 9, 2004

Kvr

TO

1. The Principal Secretary,

   Government of Andhra Pradesh,

Panchayat Raj & Rural Development,

Secretariat, Hyderabad.

2 The Commissioner,

Women Empowernment & Self Employment,

Andhra Pradesh, Gandhi Nagar,

Lower Bund, Hyderabad.

3 The Project Director,

District Rural Development Agency,

CUDDAPAH.

4 The District Collector & Chairman,

District Rural Development

Agency, CUDDAPAH.

5. Two C.Cs. to G.P. for Panchayat Raj

and Rural Development

High Court Buildings,

High Court of A.P.,

Hyderabad (OUT)

6 Two C.D. Copies.